

ASSEMBLY COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT
Norma J. Torres, Chair

2011-12 COMMITTEE RULES

The Assembly Committee on Housing and Community Development will operate under the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly. The following committee procedures and guidelines are designed to further expedite the conduct of committee business.

Committee hearings are regularly scheduled for the 2nd and 4th Wednesdays of the legislative calendar, commencing at 9 a.m. in Room 126 of the State Capitol. Four members of the committee shall constitute a quorum. If there is no quorum present by 9:30 a.m., the meeting will be adjourned and the committee will not meet again until the following regular hearing date.

SETTING OF BILLS

1. (a) Notice of a hearing on a bill by the committee shall be published in the Assembly Daily File at least four calendar days prior to the hearing, unless such notice is waived by a majority vote of the Assembly.
- (b) Bills referred to the committee shall be set for hearing at a time most convenient to the committee. A bill may be set for hearing in the committee only three times. A bill is "set" for purposes of this subsection whenever notice of the hearing has been published in the file for one or more days. If a bill is set for hearing and the committee, on its own initiative, postpones the hearing on the bill or adjourns the hearing while testimony is being taken, such hearing shall not be counted as one of the three times a bill may be set. If the hearing notice in the file specifically indicates that "testimony only" will be taken, such hearing shall not be counted as one of the three times a bill may be set.
- (c) When a bill is referred to the committee, the committee secretary shall forward to the author a worksheet to be completed for preparation of the committee analysis. The worksheet shall be completed and returned to the committee within five legislative days after delivery to the author's office. Completion of the worksheet is the responsibility of the author, and the committee shall not provide copies of the worksheet to sponsors.
- (d) The chair may withhold the setting of a bill for hearing or remove a bill from the hearing file until the worksheet is completed and returned to the committee.
- (e) If a bill has been set for hearing and the author or the committee decides not to take the bill up at that time, members of the audience who have traveled to Sacramento shall be permitted to testify on the bill.
- (f) Whenever possible, bills will be scheduled for hearing on the basis of subject matter groupings.

AUTHOR'S AMENDMENTS PRIOR TO HEARING

2. (a) Legislative Counsel amendments shall be submitted to the committee secretary at least seven legislative days prior to the hearing for which the bill is set. For a Wednesday hearing, amendments shall be submitted by 12 noon on the Monday the week prior to the hearing. The amendments shall be hand delivered to the committee office, Room 162 of the Legislative Office Building.
- (b) An author shall provide the signed original and six copies of the amendments prepared by Legislative Counsel to the Committee Secretary.
- (c) The author's office shall notify the committee staff that author's amendments are being requested and a copy of the request sent to Legislative Counsel shall also be sent to the committee office at the time the amendments are submitted to Legislative Counsel. This procedure will enable committee staff to re-analyze the bill. If the amendments submitted within seven legislative days of the hearing are substantive, the bill will be held over until the next hearing. The committee chair will determine whether an amendment is substantive.
- (d) All amendments offered during the committee hearing become committee amendments, whether or not they are at the request of the author. Preparation of committee amendments shall be the responsibility of the committee staff.
- (e) No author's amendment that has significant policy effect, as determined by the chair, may be heard by the committee unless a committee analysis of the amendment has been prepared and is available to committee members and the public by the beginning of the committee hearing.

COMMITTEE ANALYSES

3. (a) Committee staff analyses of bills scheduled for hearing shall be made available to the public at least one working day prior to the day of the hearing. In the case of special hearings, the analysis shall be made available to the public at the time of the hearing or prior to any testimony being taken on the bill.
- (b) A copy of the analysis shall be sent to the bill's author and to members of the committee prior to its general distribution to the public.
- (c) Committee analyses shall indicate the position of any organization, entity or person that submits a formal letter to the committee, five legislative days prior to the day of the scheduled hearing on that bill. All letters must be submitted by mail, fax or hand delivery on separate and individual letterhead indicating the identity of the organization, clearly articulating the position of the organization on the pending legislation and signed by a person authorized by the organization to represent its official positions.

The committee will not accept cover letters, or letters listing multiple organizations under a single letterhead.

Committee staff will make every effort to indicate, by separate notice, to the members of the committee, positions of organizations which are received after the deadline but prior to commencement of the hearing.

BILL PRESENTATIONS

4. (a) Bills will be heard in the order in which the author's name is entered on a sign-up sheet maintained by the Sergeant-at-Arms. If an author is not present when his or her bill(s) is scheduled to be heard, the next author's bill(s) will be heard and the absent author's bill(s) will be placed at the end of the agenda. Bills authored by members of the committee will be heard after all non-committee authors' bills have been heard; however, if no non-committee authors are present at any time during the hearing, committee authored bills may be heard. (The committee will be as flexible as possible to accommodate members' schedules.)
- (b) ~~No person who is not~~ *In the absence of* a member of the Legislature *only the author's staff* shall present a bill before the committee ~~without~~ a signed letter of authorization from the author of the bill, and approved by the chair.
- (c) When appropriate, the chair may limit individual witness testimony and limit the number of witnesses for or against a bill. This will apply equally to both proponents and opponents.

CONSENT CALENDAR

5. (a) If the chair and vice chair of the committee, in advance of a hearing, propose to recommend any bills for consideration on the Consent Calendar without hearing testimony on those bills in committee, a list of such bills shall be made available to the public by the time of the committee hearing.
- (b) A bill may be removed from the Consent Calendar by the request of any member of the committee.

MEETING AND QUORUM

6. (a) A majority of the committee members shall constitute a quorum.
- (b) The committee shall not open a meeting without a quorum present; however, the committee may open as a subcommittee to hear testimony. Once a meeting has been opened, committee members may continue to take testimony even in the absence of a quorum.

- (c) Whenever a committee member is disqualified from taking any action on a bill pursuant to Joint Rule 44 and Assembly Rule 57, this shall create a vacancy on the committee. Any vacancy on a standing committee shall not reduce the votes required to take action on a bill in that committee. The member shall advise the chair of the disqualification, and the chair shall announce the member so disqualified at the beginning of the hearing.
- (d) Committee members who must leave during a committee hearing will notify the chair where they may be reached and provide the chair an estimated time of return.
- (e) In the absence of the chair or when the chair is presenting a bill, the vice chair shall preside. In the absence of both the chair and the vice chair, another member designated by the chair shall preside.

VOTING

- 7. (a) A majority of the committee membership is required to pass a bill from committee. A simple majority of those present and voting is sufficient to recommend adoption of author's or committee's amendments, provided that a quorum is present. A motion to recommend "do pass" on a bill or recommend "do pass as amended" requires a second.
- (b) A recorded vote shall be taken on all of the following actions of the committee:
 - (1) On an action which constitutes the committee's final action on a bill, constitutional amendment, or resolution;
 - (2) On amendments requested by the committee;
 - (3) On motions to reconsider committee actions; and,
 - (4) On recommendations to the Assembly Floor relating to Executive Reorganization Plans.
- (c) A roll call vote on a previous bill may be substituted by unanimous consent, provided that the committee members whose votes are substituted are present at the time of the substitution.
- (d) Prior to announcement of the vote, upon the request of any member of the committee, the chair may announce that the roll will be held open until such time the chair determines to permit absent committee members to vote.
- (e) A motion to "hold in committee" or to "table" a bill requires a second, shall be put to the committee without discussion, and requires an affirmative vote by a majority of the committee membership.
- (f) A recorded roll call vote is not required on the following actions by the committee:

- (1) A motion to take a bill "under submission" or other procedural motion which does not affect the final disposition of the bill.
- (2) An author's request to withdraw a bill from the committee calendar.
- (3) The return of a bill to the house where the bill has not been voted upon by the committee.
- (4) An author's amendment.
- (g) In all other respects, committee voting will be governed by the provisions of Assembly Rule 58.5.

RECONSIDERATION

- 8. (a) After a bill has been voted on, reconsideration may be granted once.
- (b) The motion for reconsideration may be made at the same hearing that the measure is initially acted upon or at a subsequent hearing. Reconsideration may be requested for any bill voted on by the committee members. No action taken by a committee may be reconsidered except with a majority vote of the membership (Assembly Rule 57.1).
- (c) Authors seeking reconsideration after the conclusion of a hearing shall notify the committee secretary in writing within seven calendar days of the original vote, in order that notice of reconsideration may be published in the Assembly Daily File.
- (d) A vote on a motion to reconsider shall be made within 15 legislative days or prior to the interim study joint recess, whichever occurs first (Joint Rule 62(a) and Assembly Rule 57.1).
- (e) If reconsideration is granted, the committee may vote on the bill immediately or may postpone the vote until the next regular hearing. In the case of a defeated bill, if the motion for reconsideration or the vote on the bill after the granting of reconsideration fails, the bill shall be immediately returned to the Chief Clerk (Joint Rule 62 (a)).
- (f) Unless specifically authorized by the chair and the vice-chair no additional testimony shall be permitted on a bill that has been granted reconsideration.

REVIEW OF ADMINISTRATIVE REGULATIONS

- 10. (a) The committee staff shall review all proposed administrative rules and regulations that are contained in the Notice Supplement of the California Administrative Register and that pertain to agencies and programs within the scope of the committee's jurisdiction.

- (b) The staff shall review each administrative rule or regulation for conformity with the enabling statute and with legislative intent. Rules or regulations that do not appear to be based on statutory authority or that do not appear to be consistent with legislative intent shall be placed on the committee's agenda for appropriate action.

OVERSIGHT

- 11. (a) The chair may, subject to the approval of the Speaker, create oversight subcommittees to conduct detailed investigations of the performance and effectiveness of state agencies and programs that come within the scope of the committee's jurisdiction. Such subcommittees shall make periodic reports to the full committee on the progress of their oversight activities.
- (b) Whenever reports submitted by the Legislative Analyst or State Auditor are referred to the committee, any legislative recommendations contained therein subject to approval of the chair shall be placed on the committee's agenda for appropriate action.

PILOT PROJECTS

- 12. Any bill that proposes the creation of a pilot project shall contain the following specific requirements:
 - (a) A statement of purpose of the proposed pilot project that specifies the goals or objectives of the project.
 - (b) Precise cost projections and methods by which savings, if any, may be calculated.
 - (c) A definitive mechanism by which the value and success, if any, of the project may be quantified. This mechanism shall include specific numerical objectives that must be met or exceeded if a project is to be judged successful.
 - (d) A date by which the project will be completed and evaluated.

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